

ARBITRARY-POWER  
LATELY EXERCISED:

O R,  
A true Narrative of a late injurious Proceeding of some of the  
Commissioners for INDEMPNITY.

*Humbly presented unto the Parliament of ENGLAND,*  
*With Request of Redresse,*

*By WILLIAM BALL, Esq.*

ON Wednesday the 23. of June, 1652. the Parliament of England passed an Act, intituled, *An Act for Transferring the Powers of the Committees for Indempnity*, whereby all, and every the Powers, and Authorities which any Committee, or Committees of Parliament had to give Indempnity to or save harmlesse and indemnified any person or persons whatsoever, who have acted by authority, or for the service of the Parliament, were transferred from the said Committee, or Committees, and were by the same Act vested, and settled in and upon Samuel Moyyer, James Russell, Edward Winslow, Josias Barners, William Molins, Arthur Squib, and Richard Moore, Esquires, who by the said Act, and by the authority thereof, or any foure or more of them, were thereby authorized to doe, and execute *All and every the Acts, Ordinances, and Orders of Parliament for Indempnity; and all and every the Powers and Authorities in or by them, or any of them given, granted, limited, and appointed, &c.* so that the Powers, and Authorities transferred by the late Act for Indempnity, were only for matters of Indempnity, as the whole scope of the said Act clearly manifesteth: nevertheless *Arthur Squib, William Molins, Edward Winslow, and James Russell* aforesaid have without, and beyond the Authority of the sayd Act, assumed unto themselves Power of Rehearing, and have Actually Re-heard (on Friday October the first) a case Referred by speciall Order of Parliament (dated the seventh of Novemb. 1650) to the late Committee of Indempnity to heare, Examine, and Report; upon a Petition of one *Edward Bullock* suggesting a *morgage, and corrupt Decree*: Touching which case Referred by speciall Order the aforesaid Committees were in Nature of REFERREES, not Committees: who upon the hearing of the aforesaid case (March the 20. 1650) voted that there was no morgage, nor corrupt Decree, as was complained of in the Petition aforesayd; and Ordered that the Residue of the matter of fact should be drawne up and Reported unto the House: and appointed that Mr. *Richard Darley, M. Moyle, M. Luke Robinson, and Col: Peter Temple*, or any two of them, should examine the case when it was drawne up, to be reported, and present it to the Committee. Notwithstanding all which the Commissioners aforesaid have not onely become *Voluntary-undertaking Judges, or Hearers* in Re-hearing the case as aforesaid; but have at their Re-hearing seized on a great and considerable part of Standen the Defendants Deeds and Records, [wherein, and in which, my selfe, the Author hereof, am greatly concerned, as having 120. l. per annum Rent-charges, and the Fee for life, as by Deeds and Records it doth and may appeare:] Howbeit the aforesaid Commissioners have promised that the said Deeds and Records shall be forth-comming: Notwithstanding to what end and purpose such *Voluntarily-undertaking Judges, or Hearers* may by any pre-affected wayes, or otherwise, incumber my Kinsman, or my Interest, (being neither Defendant nor Party to the forementioned Petition) cannot be discerned: so that in this case, I consider the beforenamed Commissioners to have already exceeded the former injurious Proceedings of Starre-chamber, or High Commission Court; for albeit those abused the Power granted unto them, yet they never assumed unto themselves Power not granted unto them, as these Commissioners have done already, and how far they may adventure to proceede, who knoweth? However I am confident that the wisdom of the Parliament (to whose grave censure I submit this my Narrative) will not permit such *voluntary undertaking Judges, or Hearers*, nor admit of any Censure, or Report, which shall proceed from them. And withall I humbly request, That the Parliaments Integrity would in this case wholly disallow, and Null the Innovating Powers, and Proceedings of the Commissioners; That so Law may be observed, Right preserved, and the Parliaments Honour conserved.

Octob. 7. 1652.

*William Ball.*